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Joao Tovar, Plaintiff(s),

-v-

Robert Indiana. Defendant(s).

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12-CV-6104 (KBF)

NOTICE OF INITIAL
PRETRIAL
CONFERENCE

This case has been assigned to the undersigned for all purposes. Counsel for all parties are directed to appear for an initial pretrial conference with the Court, at the time and place listed below. By the date of the initial pretrial conference, counsel for all parties are required to register as filing users in accordance with the Procedures for Electronic Case Filing. Counsel who appear at the initial pretrial conference must be authorized to bind their clients for all pretrial purposes.

Counsel are directed to confer with each other prior to the conference regarding each of the subjects to be considered at a Fed. R. Civ. P. 16 conference. Counsel are further directed to use the Court's proposed Scheduling Order form (the "Form") to jointly prepare a proposed schedule for any motions and discovery. Counsel should use a copy of the Form available at <http://nysd.uscourts.gov/judge/Forrest>.

The parties shall submit a copy of the completed Form at least four business days prior to the date of the conference. Counsel for the plaintiff(s) is also directed to email a copy of the completed Form to Chambers at ForrestNYSDChambers@nysd.uscourts.gov.

If subject matter jurisdiction in this case is based on diversity of citizenship under 28 U.S.C. § 1332, the party asserting the existence of such jurisdiction shall submit to the Court, no later than four business days prior to the date of the conference, a letter explaining the basis for the party's belief that diversity jurisdiction exists in this action, consistent with the Court's Individual Practice 6.

Prior to the date of the conference, each party must also send the Court one courtesy copy of all of that party's pleadings.

If this case has been settled or otherwise terminated, counsel are not required to appear, provided that a stipulation of discontinuance, voluntary dismissal, or other proof of termination is sent prior to the date of the conference via email to the Orders and Judgment Clerk at the following email address: orders_and_judgments@nysd.uscourts.gov.

All conferences with the Court are scheduled for a specific time; there is no other matter scheduled for that time. Counsel are directed to appear promptly.

Requests for adjournment may be made only in a writing received not later than two business days before the conference. The written submission must (a) specify the reasons for the adjournment, (b) state whether the other parties have consented, and (c) indicate times and dates on succeeding Fridays when all counsel are available. Unless counsel are notified by this Court that the conference has been adjourned it will be held as scheduled.

All counsel receiving this notice are directed (i) to notify all other parties' attorneys in this action by serving upon each of them a copy of this notice and the Court's Individual Practices (available at the Court's website, <http://nysd.uscourts.gov/judge/Forrest>) forthwith, and (ii) to file proof of such notice with the Court. If unaware of the identity of counsel for any of

the parties, counsel receiving this notice must forthwith send a copy of the notice and Practices to that party personally.

Date and place of conference: October 5, 2012, at 10:00 a.m. at the United States Court House, 500 Pearl Street, New York, New York, in Courtroom 15A.

Dated: New York, New York
September 20, 2012

Katherine B. Forrest

KATHERINE B. FORREST
United States District Judge